

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DENNIS HART, et al.,

No. C-07-5845 MMC

Plaintiffs,

**ORDER DENYING PLAINTIFFS'
OBJECTIONS AND REQUEST TO
STRIKE DEFENDANT'S SUR-REPLY
OR, IN THE ALTERNATIVE, FOR
PERMISSION TO FILE FURTHER
DECLARATIONS AND ANALYSIS**

v.

CITY OF ALAMEDA,

Defendant.

Before the Court is plaintiffs' "Objections and Request to Strike Defendant's Sur-Reply or, in the Alternative, for Permission to File Further Declarations and Analysis," filed February 27, 2009. Defendant has filed a declaration in opposition to plaintiffs' request. Having read and considered the papers filed in support of and in opposition to the request, the Court finds defendant's response to plaintiff's Motion for Summary Adjudication of Issues was not inconsistent with any order or direction of the Court made at the July 17, 2008 Case Management Conference. Further, plaintiffs, in their reply filed February 17, 2009, appear to have responded to all of the arguments made in defendant's filing of February 6, 2009 and have made no specific showing with respect to any additional arguments or declarations they would provide if given leave to expand their briefing.

Accordingly, plaintiffs' request is hereby DENIED.

IT IS SO ORDERED.

Dated: March 6, 2009


MAXINE M. CHESNEY
United States District Judge